

**United States District Court  
Eastern District of Michigan**

**Notice of E-mail Delivery Failure Directed to  
James P. Murphy**

On July 18, 2011, an electronic "**Delivery Failure Report**" was received by the court after an entry was made on the court record in case number: 09-cv-13974.

An e-mail delivery failure will occur when the attorney does not keep his/her e-filing account properly updated with a valid e-mail address.

Failure to provide the court with a correct e-mail address is a violation of the **Electronic Filing Policies and Procedures R3 (c)**.<sup>\*</sup> If a filing user has an obsolete e-mail address associated with his/her profile, the filing user must update the information immediately. The filing user should also review his/her active cases using a PACER account for all missed filings. This notice will be entered on the court record under the provisions of LR 11.1. **Sanctions may be imposed if additional violations occur after this date.**<sup>\*\*</sup>

An e-mail delivery failure can also occur when the intended NEF recipient experiences some kind of temporary technical disruption. Upon notification, the filing user should make every effort to correct the disruption as soon as possible. The filing user should also monitor his/her active cases using a PACER account until the technical disruption has been resolved.

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on this date, by electronic and/or ordinary mail.

DAVID J. WEAVER, CLERK OF COURT

By: s/Kelly Clark  
Deputy Clerk

Dated: July 19, 2011

**\* Rule 3 Eligibility, Registration, Passwords states, in part:**

(c) Each filing user is responsible for maintaining valid contact information in his or her ECF Registration account profile. When a user's contact information changes, the user must promptly update his or her ECF Registration account profile. If the filing user has a pending case before the Court, the user must also promptly notify all parties in all cases. Electronic service upon an obsolete e-mail address will constitute valid service if the user has not updated the account profile with the new e-mail address.

**\*\* LR 11.1 Sanctions for Non-Compliance with Local Rules**

If, after notice and a reasonable opportunity to respond, the Court determines that a provision of these Local Rules has been knowingly violated, the Court may impose an appropriate sanction upon the attorneys, law firms, or parties that have violated the Local Rule or are responsible for the violation. The procedures for imposing sanctions and the nature of sanctions shall be as set out in Fed. R. Civ. P. 11(c). For purposes of this rule, references in Fed. R. Civ. P. 11(c) to violations of "subdivision (b)" are deemed to be references to violations of the Local Rules, and Fed. R. Civ. P. 11(c)(2)(A) does not apply.

## Delivery Failure Report

Your message: Mail delivery failed  
was not delivered to:  
because:

### What should you do?

- You can resend the undeliverable document to the recipients listed above by choosing the Resend button or the Resend command on the Actions menu.
- Once you have resent the document you may delete this Delivery Failure Report.
- If resending the document is not successful you will receive a new failure report.
- Unless you receive other Delivery Failure Reports, the document was successfully delivered to all other recipients.

#### Routing path

USHUB03/H/US/USCOURTS, 06MIEMAIL01a/M/06/USCOURTS

To: cmecfadmin@mied.uscourts.gov

cc:

Date: 12:24:19 PM CST Yesterday

Subject: Mail delivery failed

This message was created automatically by mail delivery software.

A message that you have sent could not be delivered to one or more recipients. This is a permanent error. The following address failed:

<murph@berrymoorman.com>: 550 5.1.1 User unknown

Included is a copy of the message header:

-----  
Received: from unknown [199.107.16.202] (EHLO icmecf102.gtwy.uscourts.gov)  
by p01c11m022.mxlogic.net (mx1\_mta-6.10.0-2)  
with ESMTP id  
d4a742e4.0.39722.00-2379.59507.p01c11m022.mxlogic.net (envelope-from  
<cmecfadmin@mied.uscourts.gov>);  
Mon, 18 Jul 2011 12:24:13 -0600 (MDT)  
X-SBRS: None  
X-REMOTE-IP: 156.125.161.32  
X-IronPort-AV: E=Sophos;i="4.67,223,1309752000";  
d="scan'208";a="243164537"  
Received: from unknown (HELO mieddb.mied.circ6.dcn) ([156.125.161.32])  
by icmecf102.gtwy.uscourts.gov with ESMTP; 18 Jul 2011 14:24:12 -0400  
Received: from mieddb.mied.circ6.dcn (localhost.localdomain [127.0.0.1])  
by mieddb.mied.circ6.dcn (8.13.8/8.13.8) with ESMTP id  
p6IINsWZ018265;  
Mon, 18 Jul 2011 14:23:57 -0400  
Received: (from ecf\_web@localhost)

by mieddb.mied.circ6.dcn (8.13.8/8.13.8/Submit) id  
p6IINNkW018089;

Mon, 18 Jul 2011 14:23:23 -0400  
Date: Mon, 18 Jul 2011 14:23:23 -0400  
MIME-Version: 1.0  
From: cmecfadmin@mied.uscourts.gov  
To: cmecfadmin@mied.uscourts.gov  
Message-Id: <4392929@mied.uscourts.gov>  
Subject: Activity in Case 2:09-cv-13974-BAF-VMM Simons v. Lincoln Park, City  
of et al Text-Only Notice of Hearing Cancelled  
Content-Type: text/html

## Delivery Failure Report

Your message:  
was not delivered to:  
because:

Mail delivery failed

### What should you do?

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#### Routing path

USHUB03/H/US/USCOURTS, 06MIEMAIL01a/M/06/USCOURTS

To: cmecfadmin@mied.uscourts.gov

cc:

Date: 12:36:57 PM CST Yesterday

Subject: Mail delivery failed

This message was created automatically by mail delivery software.

A message that you have sent could not be delivered to one or more recipients. This is a permanent error. The following address failed:

<murph@berrymoorman.com>: 550 5.1.1 User unknown

Included is a copy of the message header:

-----  
Received: from unknown [206.18.112.204] (EHLO icmecf201.gtwy.uscourts.gov)  
by p01c12m024.mxlogic.net (mxl\_mta-6.10.0-2)  
with ESMTP id  
34d742e4.0.1146170.00-2185.1492536.p01c12m024.mxlogic.net (envelope-from  
<cmecfadmin@mied.uscourts.gov>);  
Mon, 18 Jul 2011 12:36:52 -0600 (MDT)  
X-SBRS: None  
X-REMOTE-IP: 156.125.161.32  
X-IronPort-AV: E=Sophos;i="4.67,223,1309752000";  
d="scan'208";a="244853666"  
Received: from unknown (HELO mieddb.mied.circ6.dcn) ([156.125.161.32])  
by icmecf201.gtwy.uscourts.gov with ESMTP; 18 Jul 2011 14:36:51 -0400  
Received: from mieddb.mied.circ6.dcn (localhost.localdomain [127.0.0.1])  
by mieddb.mied.circ6.dcn (8.13.8/8.13.8) with ESMTP id  
p6IIaDaV022158;  
Mon, 18 Jul 2011 14:36:14 -0400  
Received: (from ecf\_web@localhost)

by mieddb.mied.circ6.dcn (8.13.8/8.13.8/Submit) id  
p6IIZrBJ022083;

Mon, 18 Jul 2011 14:35:53 -0400  
Date: Mon, 18 Jul 2011 14:35:53 -0400  
MIME-Version: 1.0  
From: cmecfadmin@mied.uscourts.gov  
To: cmecfadmin@mied.uscourts.gov  
Message-Id: <4393008@mied.uscourts.gov>  
Subject: Activity in Case 2:09-cv-13974-BAF-VMM Simons v. Lincoln Park, City  
of et al Notice to Withdraw Motion  
Content-Type: text/html